

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CANDACE SMITH,

Plaintiff,

v.

MERCY AYODELE AKKINOLA, *et al.*,

Defendants.

No. 1:25-cv-00418-KES-HBK

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS

Doc. 5

Plaintiff Candace Smith, proceeding pro se and in forma pauperis, filed this action on April 10, 2025. Doc. 1. This action was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On April 22, 2025, the assigned magistrate judge issued a screening order, finding that the complaint did not set forth any basis for federal subject matter jurisdiction and failed to state a cognizable claim for relief. Doc. 4. The magistrate judge ordered plaintiff to either file an amended complaint, notify the Court that she wished to stand on her complaint as written, or file a voluntarily dismissal by May 23, 2025. *Id.* Plaintiff was expressly warned that if she failed to timely comply with the screening order or seek an extension of time to comply, the magistrate judge would recommend that the district court dismiss this action for plaintiff's failure to prosecute. *Id.* at 7, ¶ 2. To date, plaintiff has not complied with the screening order nor requested an extension of time.

1 On June 10, 2025, the magistrate judge issued findings and recommendations,
2 recommending that this action be dismissed without prejudice for plaintiff's failure to prosecute
3 this case and failure to comply with a court order. Doc. 5. The findings and recommendations
4 were served on plaintiff and contained notice that any objections to the findings and
5 recommendations were to be filed within fourteen (14) days from the date of service. *Id.* No
6 objections were filed and the time to do so has passed.

7 In accordance with the provisions of 28 U.S.C. § 636(b)(1), this Court has conducted a de
8 novo review of this case. Having carefully reviewed the file, the Court concludes that the findings
9 and recommendations are supported by the record and by proper analysis.

10 Accordingly,

- 11 1. The findings and recommendations, filed June 10, 2025, are ADOPTED IN FULL;
- 12 2. Plaintiff's complaint, filed April 10, 2025, is DISMISSED without prejudice; and
- 13 3. The Clerk of the Court is DIRECTED to close this case.

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16 IT IS SO ORDERED.

17 Dated: June 27, 2025

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UNITED STATES DISTRICT JUDGE